

1 IN THE UNITED STATES DISTRICT COURT FOR THE

2 EASTERN DISTRICT OF CALIFORNIA

3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

CR. NO. S-02-0257 EJG

7 ROLAND ADAMS,

8 Defendant.
9 _____ /

10 UNITED STATES OF AMERICA,

11 Plaintiff,

CR. NO. S-02-0560 EJG

12 v.

13 ROLAND ADAMS,

ORDER AFTER HEARING

14 Defendant.
15 _____ /

16 This matter was before the court on February 9, 2007 for a
17 status conference. Assistant U.S. Attorney Camil Skipper
18 appeared on behalf of the government. Michael Bigelow appeared
19 on behalf of defendant.¹ Defendant's appearance was waived.
20 After hearing the court enters the following order.

21 Following a partial remand from the Ninth Circuit, the
22 district court held an initial status conference to elicit input
23 from the parties on how to proceed. The court indicated an
24

25 ¹ Mr. Bigelow's appearance was solely in connection with the portion of Cr. No. S-02-
0257 on which he was appointed by the court in October of 2006.

1 evidentiary hearing might not be necessary if there was
2 sufficient evidence in the record from which to determine the
3 amount of equity in defendant's residence that is forfeitable as
4 proceeds of the wire and mail fraud conspiracy and the money
5 laundering conspiracy to which defendant pled guilty. Now,
6 having reviewed the record, the court has determined that an
7 evidentiary hearing is warranted.

8 Accordingly, IT IS THEREFORE ORDERED that:

9 1. An evidentiary hearing will be held at 10:00 a.m., March
10 23, 2007, limited to the issue remanded by the Ninth Circuit
11 Court of Appeals concerning the amount of proceeds derived from
12 the fraud.

13 2. The government is directed to file a brief, outlining
14 the exhibits and testimony it will present at the hearing. The
15 brief shall be filed with the court and served on Mr. Bigelow by
16 close of business March 16, 2007.

17 3. Following the hearing, a status conference will be held
18 to establish a briefing schedule on the defendant's motions
19 pending before the court in pro per.

20 4. Defendant's presence at the hearing is required. A writ
21 of habeas corpus ad testificandum will issue under separate
22 cover.

23 IT IS SO ORDERED.

24 Dated: February 26, 2007

/s/ Edward J. Garcia
EDWARD J. GARCIA, JUDGE
UNITED STATES DISTRICT COURT